

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

AMANDA BENSON,

Plaintiff,

vs.

CITY OF LINCOLN, a political subdivision;  
CHRIS BEUTLER, TOM CASADY, DOUG  
MCDANIEL, TIM LINKE, LEO BENES,  
ERIC JONES, DARREN MERRYMAN,  
and SHAWN MAHLER,

Defendants.

4:18CV3127

SECOND AMENDED  
ORDER SETTING TRIAL

This matter comes before the Court on the parties' Joint Motion and Stipulation to Extend Progression Order Deadlines ([Filing No. 319](#)). After review of the parties' motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Joint Motion and Stipulation to Extend Progression Order Deadlines ([Filing No. 319](#)) is granted, and the amended order setting trial is amended as follows:

- 1) Motions to compel written discovery under Rules 33, 34, 36, and 45 as to the additional discovery must be filed by **November 9, 2022**.

**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

- 2) The deadline for filing motions to dismiss and motions for summary judgment is **November 18, 2022**.
- 3) The expert witness discovery/deposition deadline is **December 30, 2022**.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **January 17, 2023**.
- 5) The Pretrial Conference remains scheduled to be held before the undersigned magistrate judge on **March 7, 2023**, at **10:00 a.m.**, and will be conducted in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [nelson@ned.uscourts.gov](mailto:nelson@ned.uscourts.gov), in Word format, by **3:00 p.m.** on **February 28, 2023**.

- 6) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 7) The jury trial of this case remains set to commence before Brian C. Buescher, United States District Judge, in Courtroom 5, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at **9:00 a.m. on April 11, 2023**, or as soon thereafter as the case may be called, for a duration of ten (10) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.

Dated this 17<sup>th</sup> day of October, 2022.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge